Single Bench (3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CG)

WRIT PETITION NO. 4312 OF 2004

BETWEEN

Udal Das Tandiya, aged about 53 years, S/o Shri Jhingut Das Tandiya, occupation service, Working as Accountant, Block Education Office, Kasdol , resident of Kasdol Tehsil Kasdol, District Raipur (CG).

P.R. No. 4827/My Sahu
Presented by Shri Sahu
dated 6/8/04

PETITIONER

A N D

1. The State of Chhattisgarh, through the Secretary Department of School Education, Mantralay, D.K.S. Building, Raipur (CG).

2. The Joint Secretary, Chhattisgarh State , School Education Department, Raipur (CG).

3. District Education Officer, Raipur (CG).

RESPONDENTS

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

(23)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 4312/ सन् 2004

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	7-4-2005 On a mention being made, the case is taken up for hearing. Mr. Sunil Sahu, counsel for the petitioner. Mr. Sudhir Agrawal, Panel Lawyer for the State/respondents. Heard both the counsel. The petitioner has preferred this petition under Article 226/227 of the Constitution of India, being aggrieved by the order dated 14-10-2004 (Annexure P-2) whereby the petitioner has been transferred from Kasdol to Saja, Educational District: Bemetara, in the Government Girls Higher Secondary School, Saja, on the post of Accountant. Further case of the petitioner is that he has been transferred without any complaint against him and as the wife of the petitioner refused to contest the election of Janpad Panchayat, Kasdol on the ticket of the ruling party. Therefore, a request has been made to quash the order dated 14-10-2004. Learned counsel for the petitioner submits that after filing of this writ petition, the petitioner has been relieved in the month of November, 2004, to join on the next place of posting. However, when the petitioner reported at the place of posting i.e. Higher Secondary School, Saja, he was informed that no post is vacant at Saja, and vide letter dated 10-3-2005, the District Education Officer, Balod (Bemetara) sought guidance from the Joint Secretary, School Education, Govt. of Chhattisgarh, but so far no order has been passed. Learned counsel further submits that the post at Kasdol is lying vacant, in the given situation, the petitioner may be allowed to make a representation to respondent No.2 and he be directed to decide the same and pass appropriate order regarding posting of the petitioner to which Mr. Sudhir Agrawal, learned Panel Lawyer for the State of Chhattisgarh has no objection.	

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(24)

आदेश पत्रक

मामला क्रमांक W.P.4312/ **सन्** 2004

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Soma	Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a representation to respondent No.2 within ten days from today, and respondent No.2 is directed to pass appropriate order considering the grievances raised by the petitioner within a period of one month from the date of receipt of the representation, in accordance with law. Particularly when the petitioner has been transferred to Saja and the same post is not vacant there, the Joint Secretary, School Education, is directed to pass appropriate order regarding the posting of the petitioner. With the directions aforesaid, the petition stands disposed of. Consequently, M.(W.)P.No.4666/2004 and I.A.No.2074/2005 also stand disposed of. Parties are entitled for certified copy of this order. **Sd/-** **L.C. Bhadoo** **Judge**	

(पीछे देखिये)